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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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12 THE INSURANCE CORPORATION OF
13 NEW YORK,,

NO. CIV. S 04-1166 MCE GGH

14 Plaintiff,

15 v.

ORDER

16 FOOD SERVICE INSURANCE
17 MANAGERS, DWIGHT HALVORSON
INSURANCE SERVICES, INC. and
DWIGHT HALVORSON,

18 Defendants.
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21 Through the present motion, Defendant Food Service Insurance
22 Managers, Inc. ("FSIM") asks the court to modify its Pretrial
23 Scheduling Order to permit additional time for non-expert
24 discovery. According to FSIM, discovery obtained just prior to
25 the currently set June 23, 2005 deadline revealed additional
26 claimed damages as well as the existence of additional documents
27 that had not been previously produced.

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1 FSIM also contends that allowing additional discovery will
2 facilitate the prospects for settlement.

3 FSIM's motion is unopposed. In its Statement of Non-
4 Opposition, Plaintiff The Insurance Corporation of New York
5 ("INSCORP") concedes that discovery undertaken just before the
6 current discovery deadline revealed documents not produced, but
7 requested, in prior discovery proceedings. INSCORP also agrees
8 that extending the dates set forth in the existing Pretrial
9 Scheduling Order will be helpful in facilitating settlement,
10 including potential mediation of the case.

11 Given the above, and good cause having been shown, the
12 schedule set forth in the Court's Pretrial Scheduling Order will
13 be modified and FSIM's Motion is GRANTED.¹ The non-expert
14 witness discovery deadline is extended to January 20, 2006.
15 Other pretrial deadlines, including the deadline for expert
16 witness disclosure, are also extended and will be set forth
17 within a forthcoming amended Pretrial Scheduling Order.

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27 ¹Because oral argument would not be of material assistance,
28 this matter was deemed suitable for decision without oral
argument. E.D. Local Rule 78-230(h).

1 The currently scheduled trial date of February 22, 2006 is
2 vacated pending issuance of said amended Pretrial Scheduling
3 Order, as are all other pretrial dates contained within said
4 Pretrial Scheduling Order.

5 IT IS SO ORDERED.

6 DATED: August 10, 2005

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10 MORRISON C. ENGLAND, JR.
11 UNITED STATES DISTRICT JUDGE
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